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Senate

The Senate met at 10 o'clock a.m.
The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, whose most searching words are heard in the silences of the soul, give, we beseech Thee, to Thy servants who here wrestle with the Nation's problems, quiet hearts and open minds welcoming all truth from whatever direction it may come.

May the fret and fever of their own spirits not add to the confusion of a bewildered age instead of helping and healing.

Lift our eyes, we pray Thee, above the foggy valley of narrow loyalties and partisan interests to vaster vistas where small things are seen as small and great things as great. Remove far from us even unrecognized bigotries and prejudices based on misunderstanding.

In the crises of our times join us with those who across the waste and wilderness of human hate and need, preparing the way of the Lord, throw up a highway for our God. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, July 1, 1959, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 1120) to amend the National Bank Act and the Federal Reserve Act with respect to the reserves required to be maintained by member banks of the Federal Reserve System against deposits and to eliminate the classification "central reserve city," with an amendment, in which it requested the concurrence of the Senate.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the

usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMENDATION OF SENATOR MOSS

Mr. JOHNSON of Texas. Mr. President, I wish to express my appreciation and my commendation of the junior Senator from Utah [Mr. Moss] for his demeanor and the very able manner in which he presided over the Senate yesterday, during a very difficult period. In my opinion he showed a knowledge of the Senate rules and the Constitution, as Presiding Officer of the Senate, which rarely is exhibited by a new Member. I was very proud of the manner in which he handled himself, and I think his decision was a very sound one.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President—

The VICE PRESIDENT. The Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I wish to propound a parliamentary inquiry. Under the unanimous-consent agreement reached last evening, it is my understanding that following the conclusion of the morning hour 2 hours will be allotted for general debate on the question of sustaining the decision of the Chair, 1 hour to be controlled by the majority leader, and 1 hour by the minority leader. Is that correct?

The VICE PRESIDENT. The Senator from Texas is correct.

Mr. JOHNSON of Texas. Mr. President, the Senate has voted on a motion to table. I wish to ask whether a motion to postpone to a day certain would be in order.

The VICE PRESIDENT. Such a motion would be in violation of the unanimous-consent agreement, since the agreement implies a vote.

Mr. JOHNSON of Texas. Would a motion to adjourn be in order?

The VICE PRESIDENT. Such a motion is always in order.

Mr. JOHNSON of Texas. So the only motion which would be in order would

be a motion to adjourn; and a motion to postpone to a day certain, adopted by majority vote, would not be in order?

The VICE PRESIDENT. The Senator from Texas is correct; a motion to adjourn would be in order, but a motion to postpone to a day certain would not be in order.

Mr. JOHNSON of Texas. Would any other motion be in order?

The VICE PRESIDENT. The Chair knows of none, under the agreement which has been entered.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

TRANSFER OF CERTAIN FUNCTIONS FROM DEPARTMENT OF COMMERCE TO DEPARTMENT OF LABOR

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to transfer from the Department of Commerce to the Department of Labor certain functions in respect of insurance benefits and disability payments to seamen for World War II service-connected injuries, death, or disability, and for other purposes, which, with the accompanying papers, was referred to the Committee on Interstate and Foreign Commerce.

PETITION

The VICE PRESIDENT laid before the Senate a resolution adopted by the Council of the City of Philadelphia, Pa., favoring the enactment of the bill (S. 1046) to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of large enterprises engaged in retail trade or service and of other employers engaged in activities affecting commerce, to increase the minimum wage under the act

to \$1.25 an hour, and for other purposes, which was referred to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD of West Virginia, from the Committee on Banking and Currency, without amendment:

S. 2099. A bill to provide for the striking of medals in commemoration of the 100th anniversary of the admission of West Virginia into the Union as a State (Rept. No. 466).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S.J. Res. 111. Joint resolution providing for the designation of the week following the Fourth of July as Captive Nations Week (Rept. No. 467).

By Mr. KERR, from the Committee on Public Works, without amendment:

H.R. 904. An act to rename the New Richmond locks and dam in the State of Ohio as the Capt. Anthony Meldahl locks and dam (Rept. No. 469).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 1965. A bill to establish certain provisions with respect to the removal and the terms of office of the members of certain regulatory agencies (Rept. No. 471).

AMENDMENT OF TENNESSEE VALLEY AUTHORITY ACT OF 1933—REPORT OF A COMMITTEE—SUPPLEMENTAL AND INDIVIDUAL VIEWS

Mr. KERR. Mr. President, from the Committee on Public Works, I report favorably, with amendments, the bill (H.R. 3460) to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes, and I submit a report (No. 470) thereon. I ask unanimous consent that the report be printed, together with supplemental and individual views.

The PRESIDING OFFICER (Mr. Moss in the chair). The report will be received, and the bill will be placed on the calendar, and, without objection, the report will be printed, as requested by the Senator from Oklahoma.

PRODUCTION OF DOCUMENTARY EVIDENCE IN CERTAIN CASES—PRINTING OF INDIVIDUAL VIEWS AS PART 2 OF SENATE REPORT 451

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the individual views of the junior Senator from Illinois, which I will file shortly, on the bill (S. 716) to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the anti-trust laws, and for other purposes, may be printed as part 2 of report No. 451.

I have cleared this matter with the Senator from Tennessee [Mr. KEFAUVER].

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

REPORT OF DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRIDGES (for himself, Mr. COTTON, Mr. JAVITS, Mr. CASE of New Jersey, Mrs. SMITH, Mr. CLARK, Mr. KEATING, Mr. SCOTT, and Mr. WILLIAMS of New Jersey):

S. 2326. A bill granting the consent of Congress to an interpleader compact between or among any two or more of the States, Territories, and possessions of the United States and the District of Columbia; to the Committee on the Judiciary.

(See the remarks of Mr. BRIDGES when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE (by request):

S. 2327. A bill to amend the act entitled "An act to provide for the better registration of births in the District of Columbia, and for other purposes"; to the Committee on the District of Columbia.

By Mr. SMATHERS (for himself and Mr. HOLLAND):

S. 2328. A bill to add certain lands to Castillo de San Marcos National Monument in the State of Florida; to the Committee on Interior and Insular Affairs.

By Mr. BUTLER:

S. 2329. A bill for the relief of Georges Khoury; to the Committee on the Judiciary.

By Mr. DIRKSEN (by request):

S. 2330. A bill for the relief of John B. Banthey; to the Committee on the Judiciary.

By Mr. EASTLAND (for himself, Mr. KEFAUVER, Mr. TALMADGE, Mr. THURMOND, and Mr. JOHNSTON of South Carolina):

S.J. Res. 116. Joint resolution proposing to amend the Constitution relating to the right of a State to enact legislation on the basis of its own public policy on questions of decency and morality; to the Committee on the Judiciary.

(See the remarks of Mr. EASTLAND when he introduced the above joint resolution, which appear under a separate heading.)

INTERPLEADER COMPACT

Mr. BRIDGES. Mr. President, on behalf of myself, my colleague, the junior Senator from New Hampshire [Mr. COTTON], the senior Senator from New York [Mr. JAVITS], the senior Senator from New Jersey [Mr. CASE], the senior Senator from Maine [Mrs. SMITH], the senior Senator from Pennsylvania [Mr. CLARK], the junior Senator from New York [Mr. KEATING], and the junior Senator from Pennsylvania [Mr. SCOTT], I introduce for appropriate reference a bill which will authorize the respective States, the District of Columbia, and the Territories and possessions of the United States to enter into an interpleader compact.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2326) granting the consent of Congress to an interpleader compact between or among any two or more of the States, Territories, and possessions of the United States and the District of Columbia, introduced by Mr. BRIDGES for himself and other Senators, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. BRIDGES. Mr. President, as my colleagues know, compacts between States are covered by article 1, section 10 of the Federal Constitution. This section provides that no State shall enter into any agreement or compact with another State or with a foreign power without the consent of Congress.

It has become apparent in recent years that technological and business developments have practically obliterated State lines in all endeavors, but particularly in the field of business with the resulting legal disputes which necessarily follow. It is, indeed, difficult to find a person today who does not have a contractual relationship with a person or a corporation in another State. One need only examine his insurance policies or banking slips to immediately realize that contracts frequently extend across State lines.

When a dispute arises relative to the enforcement of any one of these contracts, the ultimate legal difficulties which follow primarily center around the question of an adequate forum where all the parties to the dispute can be heard without a multiplicity of actions. Interpleader actions are allowed in Federal courts where the amount involved is \$500 or more and a diversity of citizenship exists. However, there has been no adequate remedy where the amount involved is less than \$500.

In recognition of this and other problems in this area, the Council of State Governments has proposed a uniform interpleader compact which already has been adopted by five Eastern States. The bill which I am introducing would promote judicial cooperation among those States which decide to adopt interpleader compacts. It would relieve the uncertainty of persons who may be subject to double or multiple liability by permitting one judicial determination of the rights of all adverse claimants. In other words, this legislation will provide a judicial procedure by which two or more persons who have adverse claims against a third person may litigate these claims in one action.

It further provides that service of process will be legally recognized as binding between residents of compacting States, provided it meets the minimum standards in the jurisdiction where the proceeding is pending as well as that of the State where the service is made. Judgments obtained in compliance with this compact will not be subject to attack on the ground that the adjudicating court did not have personal jurisdiction over the parties to the action.

Provision is also made for withdrawal from the compact by any State at its discretion.